

REMARKS

In accordance with the foregoing, the title and claim 10 have been amended and claims 1, 3-15, 17, and 18 are pending and under consideration.

Objection to the Title

The Office Action objects to the title and suggests a new title. Applicant amends the title as suggested in the Office Action to obviate this objection. Withdrawal of this objection is respectfully requested.

Rejection of Claims 1, 3-15, 17, and 18 Under 35 U.S.C. §103(a)

The Office Action rejects claims 1, 3-15, 17, and 18 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,392,977 issued to Ando et al. (hereinafter referred to as "Ando") in view of U.S. Patent 5,659,531 issued to Ono et al. (hereinafter referred to as "Ono") and the admitted prior art.

Ando, Ono, and the admitted prior art, taken separately or in combination, do not disclose, teach, or suggest at least, "beam splitter having ... a second surface on which a hologram is formed to compensate for a deviation between optical axes of the first and second light beams transmitted through the first surface," as recited in independent claim 1.

In the last paragraph on page 4, the Office Action notes that Ando does not disclose a "hologram formed on a second surface of the beam splitter (note that Ando et al.'s hologram is separately provided from the beam splitter, and not formed on any surface of the beam splitter, ...)."

Instead, on page 5, the Office Action asserts, "Ono et al. disclose a beam splitter (Figure 11A, element 216) having a surface on which a hologram is formed. It would have been obvious to one of ordinary skill in the art at the time of the invention by the Applicant to have applied the teachings of Ono et al. to the apparatus of Ando et al., the motivation being to provide a compact, light and low cost optical head device (see last three lines of abstract)."

In col. 7, lines 36-59, Ono discloses a hologram element 216 shown in Figure 11A. More specifically, col. 7, lines 40-43 discloses, "The hologram element 216 is configured such that the back surface thereof constitutes the birefringent diffraction grating polarizer of a reflection type,..." Accordingly, Ono's hologram is formed so that beams reflect from optical disk 214 are diffracted (col. 7, lines 36-59 of Ono).

However, Ono does not disclose any compensation for a deviation between optical axes of the first and second light beams transmitted through the first surface. Therefore, Ono does not disclose, teach, or suggest at least, "beam splitter having ... a second surface on which a hologram is formed to compensate for a deviation between optical axes of the first and second light beams transmitted through the first surface," as recited in claim 1.

In addition, Figure 1 and the Background of the Invention section of the present application (admitted prior art) do not teach these features.

Moreover, Applicant respectfully submits that there is no specific teaching or suggestion to combine Ando with Ono and the admitted prior art. Further, Applicant respectfully submits that even if Ando was combined with Ono and the admitted prior art, the combination of these cited references does not disclose, teach, or suggest, at least, "beam splitter having ... a second surface on which a hologram is formed to compensate for a deviation between optical axes of the first and second light beams transmitted through the first surface," as recited in independent claim 1. Therefore, for at least these reasons, claim 1 is patentably distinguishable from the cited references.

Claims 3-9, and 18 depend from claim 1 and include all of the features of claim 1. Therefore, for at least these reasons, claim 1 is patentably distinguishable from the cited references.

Similarly, Ando, Ono, and the admitted prior art, taken separately or in combination, do not disclose, teach, or suggest at least, "wherein a hologram is formed on the second surface to compensate for a deviation between optical axes of the emitted light beam and the second light beam, which are transmitted through the first surface," as recited in claim 10. Therefore, for at least these reasons, claim 10 is patentably distinguishable from the cited references.

Claims 11-14 depend from claim 10 and include all of the features of claim 10. Therefore, for at least these reasons, claim 10 is patentably distinguishable from the cited references.

Similarly, Ando, Ono, and the admitted prior art, taken separately or in combination, do not disclose, teach, or suggest at least, "beam splitter having ... a second surface which receives the first and second light beams reflected from the recording medium, to compensate for a deviation between optical axes of the first and second light beams transmitted through the first surface," as recited in claim 15. Therefore, for at least these reasons, claim 15 is patentably distinguishable from the cited references.

Claim 17 depends from claim 15 and includes all of the features of claim 15. Therefore, for at least these reasons, claim 17 is also patentably distinguishable from the cited references.

Accordingly, withdrawal of this rejection is respectfully traversed.

Summary

Claims 1, 3-15, 17 and 18 are pending and under consideration. It is respectfully submitted that none of the references taken alone or in combination disclose the present claimed invention.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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